

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF NextGen 1.8 (rev. 1.8.2)  
Eastern Division**

Mary Madison

Plaintiff,

v.

Case No.: 1:23-cv-16476

Honorable Manish S. Shah

Creative Werks, LLC, et al.

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Friday, February 7, 2025:

MINUTE entry before the Honorable Manish S. Shah: Plaintiff's motions to strike [56] [58] are denied. Defendants did not waive their right to present affirmative defenses by asserting them in their responsive pleadings. They were not required to assert affirmative defenses earlier. The defenses asserted are not the kinds of defenses that are waived under Rule 12(h), and even if they were, under Rule 12(h)(1)(B), defendants did not omit them from a motion under the circumstances described in Rule 12(g)(2) or fail to include them in a responsive pleading. Rule 12(f) motions to strike are disfavored and the presence of the affirmative defenses in the pleadings are not causing prejudice to plaintiff. The dispute over whether plaintiff was terminated will be a factual issue even if the affirmative defenses were not in the pleadings. Moving to strike them only burdens the court and parties with unnecessary filings. Defendants shall file a written response to the motion to quash [55], explaining the relevance of plaintiff's current employment records, by 2/14/25 and plaintiff may file a reply by 2/21/25. The court will rule by cm/ecf. Notices Mailed. (psm, )

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

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